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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY VNK DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 2255

UNITED STATES OF AMERICA, Plaintiff,

v.

Miguel GOMEZ-Villa Defendant.

Magistrate Case No.

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1324(a)(1)(A)(iv)-Inducing and Encouraging Illegal Aliens To Enter the United States

The undersigned complainant being duly sworn states:

On or about **July 24, 2008**, within the Southern District of California, defendant **Miguel GOMEZ-Villa**, did encourage and induce an alien, namely **Rosa MEDEL-Mares,** with the intent to violate the immigration laws of the United States, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence in the United States is and will be in violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv).

SIGNATURE OF COMPLAINANT
Alredo Loperena, United States Customs and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **25th** DAY OF **JULY, 2008**.

UNITED STATES MAGISTRATE JUDGE

DEK

PROBABLE CAUSE STATEMENT

On July 24, 2008, at approximately 4:21 AM, **Miguel GOMEZ-Villa (Defendant)** made application for admission into the United States at the San Ysidro Port of Entry. Defendant was the driver of a 1999 Dodge Stratus with one visible female passenger. Upon inspection before a Customs and Border Protection (CBP) Officer, Defendant presented a DSP-150 (USA B1/B2 VISA/BCC) bearing the name Hector Tapia-Gomez. On behalf of the female passenger, Defendant presented an I-551 Permanent Resident Card bearing the name Delia Gonzalez-Duran. The CBP Officer noticed that the images on the documents did not resemble the people he was inspecting. The CBP Officer determined both occupants were impostors to the documents they presented and subsequently referred the vehicle and its occupants to secondary for further inspection.

In secondary, Defendant and the female passenger were confirmed to be impostors to the documents presented. Defendant and the passenger were determined to be citizens of Mexico without legal documents to enter the United States. The female passenger was retained as a Material Witness and is now identified as **Rosa MEDEL-Mares**.

During a videotaped proceeding, Defendant was advised of his Miranda rights, acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted a smuggler known as "Chico" provided him with the documents and the vehicle. Defendant admitted he had the option of returning to Mexico and receiving $500.00 USD payment for smuggling undocumented aliens or staying in the U.S. without paying a $2,500.00 USD smuggling fee. Defendant stated he was to drop off Material Witness at the K-Mart in San Ysidro, California.

During a separate videotaped interview, Material Witness admitted she is a citizen of Mexico by virtue of birth in San Martin, Michoacan, Mexico. Material Witness admitted she made arrangements with a smuggler known as "Chas" and was to pay $2,500.00 USD to be smuggled into the United States. Material Witness stated she intended to travel to Miraloma, California to seek residency and employment.